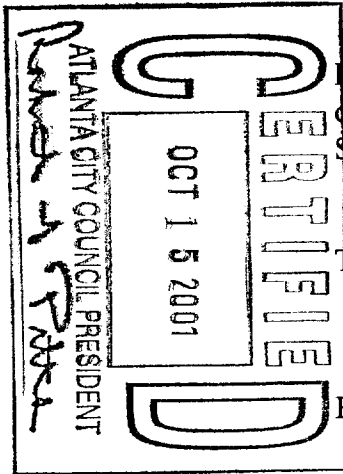


Entered - 9-14-01- sb
CL 01L0578 - ALEXIS HOLMES

01- *R*-1616

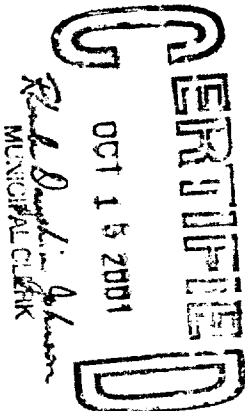
CLAIM OF: **DANA D. PERSONS**
986 Myrtle Street, NE
Atlanta, Georgia 30309



For damages alleged to have been sustained as a result of driving over a large bolt in the road on June 22, 2001 at Monroe and 8th Street.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell* by *Robert C. DCA*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSED OCT 15 2001

ADVERSE REPORT

COMM: *PS 89*
DATE: *OCT 09 2001*
CHAIR: *[Signature]*
Chela Thompson
[Signature]



**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103**

October 17, 2001

Dana D. Persons
986 Myrtle Street, NE
Atlanta, Georgia 30309

01-R-1616

Dear Ms. Persons:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on October 15, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,
Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0578

Date: 9/21/01

Claimant /Victim DANA D. PERSONS

BY: (Atty) _____

Address: 986 Myrtle Street, NE, Atlanta, Georgia 30309

Subrogation: _____ Claim for Property damage \$ 102.64 Bodily Injury \$ _____

Date of Notice: 8/30/01 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 6/22/01 Place: Monroe at 8th Street

Department _____ Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she sustained vehicular damages after she drove her vehicle over a large bolt in the road and damaged her tire. During the investigation it was determined that the City does not use bolts to secure construction cuts in the roadway. The bolt in question is a standard construction bolt.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Other X Written _____ Oral X

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 09-25-01

Committee Action: _____ Council Action _____

RCS# 3186
10/15/01
3:51 PM

Atlanta City Council

Regular Session

MULTIPLE
01-R-1616

Unfavorable Claims; Items #6-#23,
#26 & #27
ADVERSE

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	NV Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	NV Morris	Y Maddox	Y Alexander
NV Winslow	Y Muller	Y Boazman	NV Pitts

CORRECTED COPY

MULTIPLE